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OCT 09 2007
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Isabel MURILLO-Barraza Defendant.	Mag. Case No. '07 MJ 8837 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant being duly sworn states:

On or about October 6, 2007 within the Southern District of California, defendant Isabel MURILLO-Barraza an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326..

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th DAY OF OCTOBER 2007.

Peter C. Lewis
U.S.MAGISTRATE JUDGE

I, Senior Border Patrol Agent Michael Mikuski declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon the statements of the apprehending Border Patrol Agent L. Corona, that the defendant, Isabel MURILLO-Barraza, a native and citizen of Mexico was found and arrested on or about October 6, 2007 east of Calexico, California.

At approximately 8:00 PM the Calexico Border Patrol Station's Remote Camera Operator (RVSS) observed a group of approximately ten (10) individuals illegally enter the United States east of Calexico, California. The RVSS Operator notified Agent Corona the group was on the north side of the All American Canal and attempting to hide in the thick brush. Agent Corona responded to the area and located a group of 10 individuals hiding in the brush. Upon identifying himself and questioning the group, it was determine that all of the group, including one individual later identified as Isabel MURILLO-Barraza, are citizens of Mexioo illegally in the United States. The group was arrested.

During processing at the station, MURILLO's fingerprints were entered into the IDENT/IAFIS system. It was determined that an Immigration Judge had previously deported MURILLO and that MURILLO had been returned to Mexico on or about July 15, 2007.

A further records check of MURILLO revealed he has an extensive Immigration and criminal history. These checks revealed that MURILLO is currently on Supervised Release. At approximately 3:34 p.m. on October 7, 2007, Agent Poisot witnessed Agent Salazar read MURILLO his Miranda Rights. MURILLO stated he understood his rights and was willing to give a statement. MURILLO stated he had been previously deported on numerous occasions. MURILLO stated he is aware and understands if he reentered the United States illegally he could be imprisoned for 20 years san be fined up to $200,000.

There is no evidence MURILLO has sought or received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported

Executed on October 8, 2007, at 9:00 AM.

Michael Mikuski
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on October 6, 2007 in violation of Title 8, United States Code, 1326

Leo S. Papas
United States Magistrate Judge

10/8/07 - 135Pm
Date/Time